

### **REMARKS**

Claims 1-45, 47 and 48 are pending. Of these claims, 23 and 27-43 are withdrawn from consideration.

Applicants thank the Examiner for indicating claims 1-16, 44, 45, and 47 are allowed.

#### **Rejection under 35 USC §112, 2nd paragraph**

Claims 17-22 and 48 stand rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The reasons for rejection were given in an Office Action dated July 25, 2006, as omitting essential elements, which are actual diseased condition being treated. As the Examiner points out, claims 17-22 and 48 do not recite a method of treating angiogenesis and neovascularization. Instead, they relate to a disease condition, progress of which is dependent on neovascularization. Applicants submit that the art was sufficiently clear, at the time the instant application was filed, to one skilled in the art what kind of disease conditions are dependent on neovascularization. And these disease conditions respond to a composition that affects neovascularization and angiogenesis, because the disease conditions are dependent on neovascularization. Therefore, a compound described in the specification that is implicated to be affecting neovascularization may be used to treat disease conditions that are dependent on neovascularization. Applicants respectfully request this rejection reason be withdrawn.

#### **Rejection under 35 USC §112, 1st paragraph**

Claims 17-22 and 48 stand rejected as failing to comply with the written description requirement for the addition of the clause "disease condition thereof is not a cancer." The purpose of the written description requirement is to provide evidence that the Applicants truly had a possession of the invention being claimed, and to put a reader on notice regarding possible infringement. Applicants respectfully traverse the rejection. Even if the words "not a cancer" did not appear in the specification, one skilled in the art reading the specification is easily able to discern which of the described diseases are "not a cancer". There are many diseases recited in the specification, for example at page 16 line 5, to page 19, line 8. Applicants respectfully request this rejection reason be withdrawn.

**Rejection under 35 USC §102**


Claims 17-22 and 48 stand rejected as being anticipated by Raz et al. Applicants again present that the previous amendment of claim 17 to exclude cancer from the conditions being treated obviates this rejection. As explained above, Applicants believe the amendment is fully supported by the specification and should be taken into consideration when assessing whether Raz anticipates the claims at issue. Applicants respectfully request that this rejection reason be withdrawn.

In view of the above remarks, applicant believes the pending application is in condition for allowance.

Please charge our Deposit Account No. 18-1945, under Order No. GLYO-P02-007, for the requisite fee for three months extension from which the undersigned is authorized to draw. Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. GLYO-P02-007 from which the undersigned is authorized to draw.

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Respectfully submitted,

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